

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Daniel Giansante	Team: Squad #8	CCRB Case #: 201709873	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Sunday, 11/19/2017 12:13 AM	Location of Incident: 2401 Newkirk Avenue; 67th Precinct stationhouse	Precinct: 67	18 Mo. SOL 5/19/2019	EO SOL 5/19/2019	
Date/Time CV Reported Sun, 11/19/2017 5:30 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 11/29/2017 10:46 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Blaise Christoforatos	22736	962317	067 PCT
2. POF Deirdre Kelleher	17088	957731	067 PCT
3. POM Miguel Vanbrakle	28743	955616	067 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM David Meytin	24761	962616	067 PCT
2. SGT Alan Chau	01257	940986	067 PCT
3. POM Delio Fernandez	16156	957578	067 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Miguel Vanbrakle	Force: At 2401 Newkirk Avenue in Brooklyn, Police Officer Miguel Vanbrakle used physical force against § 87(2)(b)	
B.POF Deirdre Kelleher	Force: At 2401 Newkirk Avenue in Brooklyn, Police Officer Deirdre Kelleher used physical force against § 87(2)(b)	
C.POM Blaise Christoforatos	Force: At 2401 Newkirk Avenue in Brooklyn, Police Officer Blaise Christoforatos struck § 87(2)(b) with a baton.	
D.POM Miguel Vanbrakle	Discourtesy: At 2401 Newkirk Avenue in Brooklyn, Police Officer Miguel Vanbrakle spoke discourteously to an individual.	
E.POM Miguel Vanbrakle	Abuse: At the 67th Precinct stationhouse, Police Officer Miguel Vanbrakle strip-searched § 87(2)(b)	
§ 87(4-b), § 87(2)(g)		

Case Summary

On November 19, 2017, Sergeant Kevin Levinstein of the 67th Precinct filed the following complaint by phone with IAB, generating original log number 17-46008. The CCRB received the complaint on November 29, 2017.

On November 19, 2017, at approximately 12:13 a.m., a group of officers from the 67th Precinct attempted to arrest § 87(2)(b) and § 87(2)(b) in a hallway inside 2401 Newkirk Avenue in Brooklyn for smoking marijuana. § 87(2)(b) and § 87(2)(b) resisted arrest and attempted to flee. Police Officer Miguel Vanbrakle punched § 87(2)(b) in the face multiple times (**Allegation A: Force, § 87(2)(g)**). Police Officer Deirdre Kelleher tackled § 87(2)(b) to the ground as he attempted to flee from the building (**Allegation B: Force, § 87(2)(g)**). Police Officer Blaise Christoforatos struck § 87(2)(b) multiple times with an asp (**Allegation C: Force, § 87(2)(g)**). PO Vanbrakle told an unidentified bystander on the sidewalk to “Move the fuck back” (**Allegation D: Discourtesy, § 87(2)(g)**).

At the 67th Precinct stationhouse, PO Vanbrakle strip-searched § 87(2)(b) (**Allegation E: Abuse of Authority, § 87(2)(g)**). § 87(4-b), § 87(2)(g)

The investigation obtained nine clips of BWC footage (BR01-BR09).

Findings and Recommendations

- **Allegation (A) Force: Police Officer Miguel Vanbrakle used physical force against § 87(2)(b)**

It is undisputed that PO Vanbrakle punched § 87(2)(b) in the face multiple times while officers struggled to apprehend him. § 87(2)(b)'s attempt to flee and PO Vanbrakle's use of force were captured on BWC footage. SnagIt clip #4, taken from PO Azeddine's BWC and embedded below, shows PO Vanbrakle punching § 87(2)(b) (BR10):



201709873_20180613_0839_DM.mp4

SnagIt clip #1, taken from PO Vanbrakle's BWC and embedded below, shows PO Vanbrakle's perspective at the time he punched § 87(2)(b) (BR11):



201709873_20180612_1717_DM.mp4

SnagIt clips #2 and #3, taken from PO Kelleher and PO Christoforatos' BWCs and embedded below, show the initial attempts to handcuff § 87(2)(b) (BR12; BR13):



201709873_20180612_1722_DM.mp4



201709873_20180612_1728_DM.mp4

SnagIt clip #5, taken from PO Fernandez's BWC and embedded below, shows the final struggle to handcuff § 87(2)(b) (BR14):



201709873_20180613_0845_DM.mp4

§ 87(2)(b) provided a sworn statement, but he was not present when PO Vanbrakle punched § 87(2)(b) (BR15). The investigation made extensive attempts to contact § 87(2)(b). Investigators from the Field Team happened to meet him while canvassing the location, and he provided his mother's phone number to them. The undersigned spoke by phone to his mother, aunt, and brother multiple times. § 87(2)(b)'s relatives confirmed that they had notified § 87(2)(b) about the undersigned's desire to contact him, and his mother even recounted that § 87(2)(b) had claimed to her that he had contacted the undersigned. However, § 87(2)(b) never contacted the undersigned. Ultimately the investigation was unable to obtain a statement from § 87(2)(b). The investigation was also unable to locate any other civilian witnesses.

The arrest paperwork shows that § 87(2)(b) did not obtain medical treatment while in custody (BR16). His arrest photo does not show any apparent facial injuries (BR17).

PO Vanbrakle recounted that Sgt. Chau directed officers to handcuff § 87(2)(b) and § 87(2)(b) as they stood in a hallway on the 4th floor of the building (BR18). PO Vanbrakle approached § 87(2)(b) and told him to put his hands behind his back. PO Vanbrakle grabbed one of § 87(2)(b)'s arms, and § 87(2)(b) tensed up. PO Vanbrakle pulled at his arms and wrestled with him to get his hands behind his back. Another officer began to assist PO Vanbrakle and held onto § 87(2)(b)'s other arm. The men struggled for a few seconds. § 87(2)(b) then pushed PO Vanbrakle with the arm onto which PO Vanbrakle was holding before quickly pulling the arm away. PO Vanbrakle lost his grip on § 87(2)(b)'s arm, and § 87(2)(b) ran toward the stairwell.

PO Meytin grabbed § 87(2)(b) and PO Vanbrakle ran to join him. § 87(2)(b) held onto the banister of the stairwell and the officers attempted to pull him away. § 87(2)(b) released his grip and pushed PO Vanbrakle again with his arm and shoulder. PO Vanbrakle fell to the ground. § 87(2)(b) had broken free from the officers who were trying to handcuff him, and he passed PO Vanbrakle as he fled downstairs. § 87(2)(b) attempted to follow § 87(2)(b). PO Meytin tried to grab § 87(2)(b) but was unsuccessful. However, Sgt. Chau was able to stop § 87(2)(b). PO Vanbrakle got up from the ground and moved to join the struggle. By the time he arrived, PO Vanbrakle found that Sgt. Chau was on the ground beneath § 87(2)(b). § 87(2)(b) was holding onto the stairwell railings again, while PO Meytin and another officer were struggling to pull § 87(2)(b) away.

§ 87(2)(b) released his grip on the railing briefly before grabbing it again. Sgt. Chau screamed out in pain, and § 87(2)(b) seemed to be doing something to Sgt. Chau to cause him to scream in pain. However, PO Vanbrakle could not see what § 87(2)(b) was doing. PO Vanbrakle attempted to pry § 87(2)(b)'s arm off the railing, and § 87(2)(b) pushed and pulled his body in an attempt to gain leverage and break free.

PO Vanbrakle struggled with § 87(2)(b) for a few seconds before punching him in the face approximately 4-5 times. PO Vanbrakle punched § 87(2)(b) in order to get him to release his grip on the railing and to get him on the ground. The punches all occurred in quick succession, and PO Vanbrakle ordered § 87(2)(b) to stop resisting arrest while he punched him. PO Vanbrakle emphasized that § 87(2)(b) was trying to escape, that no officer had control of his arms, and that § 87(2)(b) had already pushed him. He also believed at the time that § 87(2)(b) had used some type of force against Sgt. Chau. He punched § 87(2)(b) in the face because it was the nearest part of § 87(2)(b)'s body. PO Vanbrakle punched § 87(2)(b) multiple times because he intended to punch him as many times as was necessary to get him on the ground. After the punches, § 87(2)(b) released his grip on the railing, went to the ground, and stopped physically resisting.

Sgt. Chau's account was generally consistent with that of PO Vanbrakle (BR19). He recounted that he also attempted to handcuff § 87(2)(b) and that § 87(2)(b) struggled for approximately 15 seconds before he pushed Sgt. Chau and broke free. When Sgt. Chau later grabbed § 87(2)(b) in the stairwell, they both fell to the ground, and § 87(2)(b) landed such that his chest and stomach were atop Sgt. Chau's right hand and wrist. § 87(2)(b) grabbed Sgt. Chau's right hand, pulled on it, and refused to release it. Sgt. Chau had previously undergone surgery for an injury to his right hand, and § 87(2)(b)'s behavior caused him to suffer pain and swelling. He later went to a hospital, submitted Line-Of-Duty paperwork, and missed about two weeks of work (BR20). Sgt. Chau did not actually see PO Vanbrakle punch § 87(2)(b).

The BWC footage was largely consistent with PO Vanbrakle's testimony. The footage clearly shows that § 87(2)(b) resisted arrest and attempted to flee. He broke free of PO Vanbrakle's grasp when PO Vanbrakle first tried to cuff him, briefly scuffled with officers at a stairwell railing, and then fled to another stairwell and held onto another railing. While the footage is too chaotic to see if § 87(2)(b) actually pushed PO Vanbrakle to the ground, the footage from PO Vanbrakle's BWC (00:20:55) shows that he fell to the ground near the first stairwell, which is consistent with his testimony. The footage also shows that § 87(2)(b) continued to hold onto the railing at the second stairwell and resisted officers' efforts to pull him away from it. PO Vanbrakle's claim that Sgt. Chau yelled out in pain during this time is not supported by the footage; Sgt. Chau can be heard telling § 87(2)(b) to stop resisting and to give his hands, but he never yells out in pain. The footage does not show exactly how Sgt. Chau sustained the injury to his hand and wrist.

The footage from PO Azeddine's BWC shows that PO Vanbrakle attempted to punch § 87(2)(b) five or six times with his right hand (00:21:24). It is not clear if every punch connected with § 87(2)(b). § 87(2)(b) was still holding onto the railing during the first two punches. During the remaining punches, § 87(2)(b) had released his grasp on the railing and was being pulled to the ground by other officers. PO Vanbrakle held § 87(2)(b)'s left arm with his left hand while punching him. PO Vanbrakle stopped punching § 87(2)(b) once he came to the ground. The punches took place during a period of three seconds.

Patrol Guide Procedure 221-01 states that physical force may be used when it is reasonable to ensure the safety of a member of service, and when it is reasonable to place a person in custody or to prevent escape from custody. Officers must use only the reasonable force necessary to gain control or custody of a subject (BR21).

§ 87(2)(g)

§ 87(2)(g)

- **Allegation (B) Force: Police Officer Deirdre Kelleher used physical force against § 87(2)(b)**

Allegation (C) Force: Police Officer Blaise Christoforatos struck § 87(2)(b) with a baton.

It is undisputed that PO Kelleher brought § 87(2)(b) to the ground just outside the building's front door, and that PO Christoforatos struck him with an asp multiple times as PO Kelleher struggled to apprehend him.

SnagIt clips #6 and #7, taken from PO Kelleher and PO Christoforatos' BWCs and embedded below, show this portion of the incident (BR22; BR23):



201709873_20180613_0947_DM.mp4



201709873_20180613_1002_DM.mp4

In general, the BWC footage obtained by the investigation showed that § 87(2)(b) made numerous false statements in his testimony to the CCRB. With regard to this portion of the incident, § 87(2)(b) claimed that a scuffle broke out when the officers attempted to handcuff § 87(2)(b) and § 87(2)(b) and that an officer told him that he was free to leave. He denied that officers ever tried to apprehend him. He claimed to have been staying in the building with a friend, and he recounted that he and his friend jogged down the stairs so they could leave the building. § 87(2)(b)'s friend exited the building, but PO Kelleher tackled § 87(2)(b) to the ground just before he reached the building's front door. § 87(2)(b) denied that PO Kelleher issued him any orders before tackling him.

§ 87(2)(b) provided varying descriptions of what took place immediately after PO Kelleher brought him to the ground, but he ultimately recounted that she brought him to a standing position and pushed him out of the building and onto the sidewalk. He claimed that he put his hands up in the air, and that PO Kelleher pulled his left hand behind his back. § 87(2)(b) admitted that he tried to straighten his left arm in opposition to PO Kelleher's attempt to twist it behind his back. PO Kelleher pushed § 87(2)(b) against a wall, and PO Christoforatos struck him approximately 6-8 times with an asp.

§ 87(2)(b) specified that PO Christoforatos struck him on both shoulders, on his left knee, and on his right leg. However, he also said that PO Christoforatos struck him "everywhere except [his] right arm," before later denying that PO Christoforatos struck on either arm. He claimed to have sustained pain, bruising, and swelling to his left collarbone and left knee. His collarbone felt like it was "knocked out of place," and his knee felt like it was "fractured." He later added that he sustained a scrape to his right shin. He claimed that all his injuries resulted from PO Christoforatos striking him.

§ 87(2)(b) claimed that he complied after being struck with the asp, and the officers quickly handcuffed him. He also recounted there being bystanders on the sidewalks, some of whom he described as "friends," who asked the officers why they were using force against him. He denied that he ever asked the bystanders to intervene on his behalf.

FDNY EMTs responded to the 67th Precinct stationhouse and transported § 87(2)(b) to § 87(2)(b). The Pre-Hospital Care Report Summary indicates that § 87(2)(b) had no visible injuries when EMTs examined him. It notes that he complained of pain

to his right shoulder, right knee, and left forearm, and that he claimed that he “fell” while in police custody (see Privileged Documents).

§ 87(2)(b)'s records from § 87(2)(b) show that, during his initial triage, he said that he was beaten by officers and had pain his left knee and right forearm (see Privileged Documents). He had mild swelling. During a later examination, § 87(2)(b) reported that he was hit during an altercation, and that he had mild-to-moderate, aching, and increasing pain in his right forearm and left knee. His left knee had no swelling, redness, abrasions, or lacerations. It was mildly tender. X-rays of his left knee, left lower leg, and right forearm were unremarkable, and he was diagnosed with contusions to his left knee and right forearm. He was prescribed ibuprofen and discharged. The records show no indication that § 87(2)(b) ever complained of an injury to either of his shoulders.

§ 87(2)(b)'s NYC DOC medical records from the day after the incident show that his general exam was unremarkable, and the records contain no specific mention of his having complained of a physical injury (see Privileged Documents). However, they do note that he was given ibuprofen for an “other injury of unspecified body region.” His subsequent records, which range until January 5, 2018, show no complaints or treatment for any type of physical injury. The records do indicate, however, that he had surgery in 2008 related to a fracture of his left shoulder.

§ 87(2)(g)
The BWC footage shows that § 87(2)(b) physically resisted officers’ attempts to handcuff him in the building hallway, and that he escaped and fled downstairs by himself. It shows that he fell in the lobby before getting up and continuing to flee, and that PO Kelleher screamed at him to stop before he exited the building (00:21:10). Contrary to his testimony, § 87(2)(b) reached the sidewalk before PO Kelleher tackled him. The footage does not provide a clear view of the struggle, but it is apparent that PO Kelleher struggled with § 87(2)(b) for a few seconds before PO Christoforatos reached the scene. § 87(2)(b) called out for help to the civilian bystanders while PO Kelleher repeatedly ordered him to “get down.”

PO Christoforatos was already holding his extended asp as the struggle began up on the 4th floor, and he carried it as he ran downstairs to help PO Kelleher. When PO Christoforatos reached the building’s front door, § 87(2)(b) had already stood up and was in a physical struggle with PO Kelleher. The footage is chaotic, but it is apparent that PO Kelleher was attempting to restrain § 87(2)(b) and was screaming at him to get down. PO Christoforatos grabbed onto § 87(2)(b) with his left hand and began striking him with the asp (00:21:25). PO Christoforatos appeared to strike § 87(2)(b) approximately 4-6 times, largely on his right side. The location of every asp strike is not visible, but at least strike lands on the back of § 87(2)(b)'s right shoulder blade. PO Christoforatos ordered § 87(2)(b) to “stop resisting” as he struck him. The asp strikes took place during a period of six seconds. PO Kelleher managed to hold § 87(2)(b) from behind and push him up against the front of the building, at which point PO Christoforatos stopped striking him.

The footage also shows that, contrary to § 87(2)(b)'s testimony, the officers were not able to cuff him immediately upon pushing him against the building. In fact, PO Kelleher maintained her grasp on § 87(2)(b) for some time before additional officers exited the building, at which point they struggled briefly with § 87(2)(b) to pull his hands behind his back and cuffed him.

Patrol Guide Procedure 221-01 states that physical force may be used when it is reasonable to ensure the safety of a member of service, and when it is reasonable to place a person in custody or

to prevent escape from custody. Officers must use only the reasonable force necessary to gain control or custody of a subject (BR21).

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

- **Allegation (D) Discourtesy: Police Officer Miguel Vanbrakle spoke discourteously to**

§ 87(2)(b)

Snagit clips #8 and #10, taken from PO Vanbrakle and PO Christoforatos' BWCs and embedded below, show the moment when PO Vanbrakle ordered a bystander on the sidewalk to "move the fuck back" (BR24; BR25):



201709873_20180613_1007_DM.mp4



201709873_20180614_1644_DM.mp4

PO Vanbrakle recounted that he exited the building to find PO Kelleher and PO Christoforatos struggling to handcuff § 87(2)(b) and that approximately ten bystanders were arrayed in a circle around them. The closest bystander was within inches of the officers. Some bystanders were filming and some were yelling. PO Vanbrakle ordered the bystanders to "get back." He did not recall using profanity while doing so. He also pushed a number of bystanders away. Even after PO Vanbrakle did so, some bystanders continued to approach the scene. PO Vanbrakle recalled one individual in particular, whom he described as a black man who was dressed in black and gold, who did not comply with several orders to get back.

The footage from PO Vanbrakle's BWC shows that he told one bystander to back up multiple times immediately upon exiting the building (00:23:08). This bystander was located a couple feet from PO Kelleher, who had her back to him as she struggled with § 87(2)(b). PO Vanbrakle then assisted in getting § 87(2)(b) fully handcuffed. During this time, other officers can be heard telling bystanders to step back. PO Vanbrakle then yelled, "Move back! Or you're gonna go! Move back! Move the fuck back! Move back! Move back! Move back! Move back!"

The footage from PO Christoforatos' BWC shows that various bystanders stepped closer as the officers struggled to handcuff § 87(2)(b) and that PO Christoforatos told them to step back. A black man dressed in a black leather jacket with gold accents repeatedly told PO Christoforatos not to touch him, and he stood in place in an apparent refusal to back up. He also said, "Ain't nobody gonna touch me." The bystander then walked out of view of the camera in the direction of § 87(2)(b). A few seconds later, both PO Kelleher and PO Vanbrakle suddenly screamed, "Move back!" and "Back up!" The bystander stepped backward and into view of the camera, and he appeared to be facing PO Vanbrakle. The bystander stopped moving backward and said to PO Vanbrakle, "Don't touch me. Don't touch me." PO Vanbrakle entered

the frame and pointed his finger at the bystander while ordering him to move back. After a few seconds, the bystander walked farther away from PO Vanbrakle.

When an officer uses an otherwise impolite word during a stressful street encounter where that officer is attempting to maintain control of the situation, the officer's verbal slip does not rise to the level of actionable misconduct. Disciplinary Case No. 79627/04 (BR26).

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

- **Allegation (E) Abuse of Authority: Police Officer Miguel Vanbrakle strip-searched** § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) did not allege that any officer strip-searched him. He recounted that PO Vanbrakle approached him in the cell and directed him to remove his shoes and socks. PO Vanbrakle found marijuana which § 87(2)(b) had stowed in his sock. § 87(2)(b) steadfastly denied that PO Vanbrakle found any additional contraband on his person. As a result, the investigation relied solely upon PO Vanbrakle's BWC footage in determining the facts with regard to this allegation.

SnagIt clip #9 shows PO Vanbrakle's search and strip search of § 87(2)(b) in the cells (BR27). It is too large to embed directly in this report. The footage shows that PO Vanbrakle found a bag of marijuana in § 87(2)(b)'s sock, noted that he found contraband, and told § 87(2)(b) that he was going to search him again (00:59:46). He directed § 87(2)(b) to remove his jacket and he searched the jacket. He then instructed § 87(2)(b) to reveal the location of any additional contraband on his person, and § 87(2)(b) did not admit to having additional contraband. PO Vanbrakle frisked § 87(2)(b) torso, lifted up his outer shirt, and searched the pockets of his jeans. § 87(2)(b) was wearing long underwear beneath his jeans, and his jeans were worn so far below his hips that the crotch of his long underwear was visible. PO Vanbrakle saw and felt a soft bulge on the front of § 87(2)(b)'s left hip, a few inches below the waistband of his long underwear but above the waistband of his jeans. He pulled down the waistband of the long underwear and found that § 87(2)(b) was wearing an additional pair of underwear beneath the long underwear. PO Vanbrakle pulled the waistband of the underwear away from § 87(2)(b)'s body and retrieved a bag of crack cocaine (01:01:44).

PO Vanbrakle told § 87(2)(b) "Now's the time to tell me. I'm about to take all your clothes off, and I'm about to get real personal with you. Is there anything else on your person?" § 87(2)(b) shook his head. PO Vanbrakle directed § 87(2)(b) to remove his jeans, and he thoroughly searched the jeans. PO Vanbrakle then pulled § 87(2)(b)'s long underwear down to his ankles, and told him, "No disrespect, but I got to check." PO Vanbrakle frisked the outside of § 87(2)(b)'s underwear, including his crotch and buttocks (01:02:55). He also briefly pulled open the rear waistband of § 87(2)(b)'s underwear. PO Vanbrakle then pulled § 87(2)(b)'s long underwear back up and ended the search.

PO Vanbrakle recounted that, once he found the marijuana in § 87(2)(b)'s sock, he became suspicious that § 87(2)(b) had additional contraband secreted on his person. In addition to the fact that § 87(2)(b) had marijuana hidden in his sock, PO Vanbrakle's suspicion was influenced by the fact that § 87(2)(b) had been arrested in a narcotics-prone location for a drug offense, that § 87(2)(b) had tried to flee when officers attempted to arrest him, and that § 87(2)(b) was nervous on scene and when being presented at the stationhouse desk.

PO Vanbrakle's account of his subsequent search of § 87(2)(b) was consistent with the BWC footage, except that he initially denied that he pulled down § 87(2)(b)'s long underwear. He only confirmed that he had done after watching the BWC footage.

PO Vanbrakle claimed that his search of § 87(2)(b) did not constitute a strip search, as § 87(2)(b) was never naked during the search. PO Vanbrakle claimed that he had no recollection of ever receiving training, at the Academy or at any later point, on how to properly conduct a strip search. He denied that he had ever conducted a strip search or observed one being conducted in his four years of service. He emphasized that patrol officers generally do not conduct strip searches.

The arrest report, prepared by PO Kelleher, states that crack cocaine was recovered from the left side of § 87(2)(b)'s underwear by PO Vanbrakle (BR16).

Patrol Guide Procedure 208-05 defines a strip search as any search in which an individual's undergarments and/or private areas are exposed or in which an individual's clothing is removed, lifted up, or pulled down to expose undergarments or private areas. In order to conduct a strip search, an officer must have reasonable suspicion that weapons, contraband, or evidence may be concealed upon the person or in the clothing in such a manner that they may not be discovered by lesser search methods. An officer may conduct a strip search only with the knowledge and approval of his or her immediate supervisor (BR28).

§ 87(2)(g)

§ 87(2)(g)

- § 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been parties (BR31).
- PO Miguel Vanbrakle has been a member of service for four years and has been a subject in seven closed CCRB complaints involving 17 allegations, none of which was substantiated. He is also a subject of one allegation in a complaint which was filed before this complaint, and he is a subject of one allegation in a complaint which was filed after this complaint.
 - As of the date of this report, PO Vanbrakle has been a subject of eight total CCRB allegations involving the use of force. However, five of these allegations stem from cases which are still under investigation or which were closed without a full investigation. The remaining three allegations were all closed as exonerated. § 87(2)(g)
- PO Deirdre Kelleher has been a member of service for three years. This is the first CCRB complaint to she has been a subject (see officer history).
- PO Blaise Christoforatos has been a member of service for one year and has been a subject in one CCRB complaint involved one allegation which was not substantiated (see officer history). § 87(2)(g)

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- As of June 11, 2018, the NYC Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (BR32).
- In the criminal case resulting from his arrest in this incident, § 87(2)(b) was convicted of criminal possession of a controlled substance in the fifth degree § 87(2)(b).
- § 87(2)(b)
- In the criminal case resulting from his arrest in this incident, § 87(2)(b) is charged with § 87(2)(b). He failed to appear in court on § 87(2)(b), and a warrant was issued for his arrest (BR34).
- § 87(2)(b)

Squad No.: 8

Investigator:	_____	<u>Inv. Daniel Giansante</u>	_____
	Signature	Print Title & Name	Date

Squad Leader:	_____	_____	_____
	Signature	Print Title & Name	Date

Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date